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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,616	12/28/2000	Michel Bruno	CH919990030US1	9446
7590 03/15/2005			EXAMINER	
SCULL, SCOTT, MURPHY & PRESSER			FUNK, STEPHEN R	
400 GARDEN CITY PLAZA			ART UNIT	
GARDEN CITY, NY 11530-0299			PAPER NUMBER	
			2854	

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/752,616

Applicant(s)

BRUNO ET AL.

Examiner

Stephen R. Funk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 31-38, 48-56 and 59-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 31-38, 48, 49 and 59-62 is/are allowed.
- 6) ☒ Claim(s) 51-56 and 63-75 is/are rejected.
- 7) ☒ Claim(s) 50 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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The substitute specification filed January 21, 2005 has been entered.

Claim 50 is objected to because of the following informalities:

In claim 50 lines 2 - 3 "having communicating said passage channels" is grammatically awkward.

Appropriate correction is required.

Claims 51/52, 52 - 56, and 63 - 75 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 52 - 56 and 69 - 73 the recitations of the substrate comprising self-aligning means in the form of lock elements renders the scope of the claims indefinite since the preamble of the claims is drawn only to the stamp device *for* printing on the substrate. Since only the stamp device is being positively claimed, it is improper to limit the claims by references to structure of the substrate which forms no part of the invention. Any recitation of the structure of the substrate must be inferentially recited.

For example, the last three lines of claim 52 could be amended to recite: --and the surface of said patterned layer comprises self-aligning means providing for an accurate positioning relative to the substrate during printing of said pattern.--.

Additionally, claim 53 could be amended to recite: --wherein said self-aligning means comprises key elements *for* engaging lock elements of a constant shape ...--.

Claims 54 - 56 must also be amended to delete the positive recitations of the lock elements on the surface of the substrate. Furthermore, claims 69 - 73 would appear to be

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substantial duplicates of claims 53 - 56. It is not apparent how claims 69 - 73 could be amended to overcome this rejection.

Claim 74 is a double recitation of claim 52 lines 4 - 6. Claim 74 should simply be cancelled. However, note the dependency of claim 75.

Claims 31 - 38, 48, 49, and 59 - 62 are allowed.

Claim 50 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.

Claim 51 would be allowable if dependent upon only allowed parent claim 48.

Claims 51/52, 52 - 56 and 63 - 75 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Applicant has presented no specific arguments in the response filed January 21, 2005.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

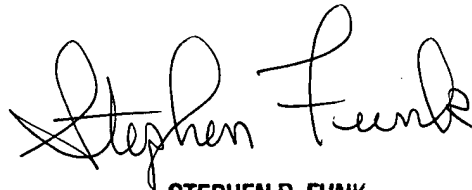
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen R. Funk whose telephone number is (571) 272-2164.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Hirshfeld, can be reached at (571) 272-2168.

The fax phone number for ALL official papers is (703) 872-9306. Upon consulting with the examiner *unofficial* papers only may be faxed directly to the examiner at (571) 273-2164.

SRF  
March 9, 2005



**STEPHEN R. FUNK**  
**PRIMARY EXAMINER**